

AO 91 (Rev. 5/85) Criminal Complaint

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES DISTRICT COURT

2018 MAY -3 PM 3:33

State and

DISTRICT OF

New Mexico

CLERK-LAS CRUCES

UNITED STATES OF AMERICA

v.

Juan Ramon PALACIOS (AKA: Jug head)

CRIMINAL COMPLAINT

CASE NUMBER:

18-1533 MJ

4:18mj1412

United States Courts
Southern District of Texas
FILED

August 31, 2018

David J. Bradley, Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 23, 2018 in Doña Ana county, in the State and District of New Mexico defendant (s) did, (Track Statutory Language of Offense)

engage in a conspiracy with others known and unknown to commit a violation of 8 USC 1324 (a)(1)(A)(ii)(Transporting) to wit: Knowing or in reckless disregard of the fact that aliens had come to, entered or remained in the United States in violation of law, transport, or attempt to transport or move such aliens within the United States by means of transportation or otherwise, in furtherance of such violation of law.

in violation of Title 8 United States Code, Section(s) 1324 (a)(1)(A)(ii) and 1324(a)(1)(A)(v)(I)

I further state that I am a (n) Border Patrol Agent and that this complaint is based on the following facts:

Official Title

Continued on the attached sheet and made a part hereof:

☒ Yes

☐ No

Sworn to before me and subscribed in my presence,

Date

5/3/18

Stephan M. Vidmar United States Magistrate Judge
Name & Title of Judicial Officer

Signature of Complainant

Joel Sanchez

Las Cruces, New Mexico
City and State

Signature of Judicial Officer

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

Vs.

Juan Ramon PALACIOS

Affiant is a United States Border Patrol Agent assigned to the Alien Smuggling Unit stationed at the Santa Teresa Border Patrol Station.

On Monday, April 23, 2018 at approximately 1120 hours, Border Patrol Agent (BPA) Arthur Martinez was performing normal duties looking for foot sign on New Mexico Highway 9 by mile marker 105. While sign-cutting alongside the highway, the BPA observed a maroon colored GMC SUV with dark tinted windows and large letters on the rear windshield traveling east bound on NM HWY 9. This vehicle caught the attention of the agent due to what appeared as excessively dark window tint and that it was driving noticeably slower than the normal traffic. The agent thought these factors were indicative of a possible "load" vehicle and radioed to other agents east of his location.

Several minutes later X-8724 CBP Air/Marine Pilot Mark Vieth was patrolling by air along the border when he observed foot sign crossing the border and heading north from BSI marker 269 at the United States/Mexico International Boundary. CBP Air/Marine Vieth began followed the foot sign north. CBP Pilot Vieth relayed this information to agents and that the trail was heading in the direction of MM 104. The same area where Agent Martinez was sign-cutting and where he saw the maroon GMC.

Approximately a half hour later Supervisory Border Patrol Agent (SBPA) Lake observed the maroon GMC traveling east bound by mile marker 132 and began to pursue the vehicle. SBPA Lake could not see any light though the dark tinted window. SBPA Lake thought this was most likely due to the excessively dark tint but also believed it could be from multiple passengers blocking the window as well.

SBPA Lake requested a registration check and a 72 hour crossing check through El Paso Sector Communications (EPSC) on the GMC bearing TX HGV3656. EPSC advised that the vehicle had a crossing this morning at the Paso Del Norte Port of Entry in El Paso, Texas. The vehicle was currently in-between the Columbus Port of Entry and the Santa Teresa Port of Entry. The address on the vehicle registration was on 406 S. Campbell St El Paso, TX 79901. SBPA Lake knew that this vehicle had likely traveled west on Highway 9 before returning east during the morning of April 23. This was because the vehicle showed no crossing of the I-10 checkpoint and had no crossing at the Columbus POE. This kind of travel pattern is also a factor with smugglers as they travel to the load up location then return.

Based on all the factors, SBPA Lake felt that the vehicle contained illegal aliens and notified agents of its location and direction of travel. BPA Rene Austin and BPA Armando Rodriguez were standing by at mile marker 140. At approximately 1240 hours BPA Austin pulled in behind the maroon GMC Envoy bearing TX HGV3656 and conducted a stop on NM HWY 9 mm 145 with BPA Rodriguez and SBPA Lake.

As BPA Austin approached the passenger side of the vehicle, the front passenger opened the door and tried to exit the vehicle. BPA Austin advised the passenger to stay in the vehicle, which he did, but left the door open. BPA Austin approached the passenger side and identified himself as a United States Border Patrol Agent and asked the passenger (Palacios) to state his citizenship. Palacios answered he was a US Citizen. After this BPA Austin noticed, through the open door additional male subjects, in camouflage outfits, laying down in the back seat. BPA Austin individually questioned the remaining four males as to their immigration status. All stated they were citizens of Mexico, not in possession of documents allowing them to be or remain in the United States.

PALACIOS, Juan Ramon and the four undocumented aliens along with the vehicle were transported to the Santa Teresa Station for processing.

The following information was gathered after a complete investigation on this case.

On the afternoon of April 23, 2018, Border Patrol Agent (BPA) Adrian Guizar and BPA Arturo Rincon encountered PALACIOS, Juan Ramon in the Processing Center at the Santa Teresa Border Patrol Station.

PALACIOS provided the following statement:

PALACIOS freely admitted to being contacted on the morning of April 23, 2018 by an unknown smuggler from Ciudad Juarez, Chihuahua, Mexico and was offered a job picking up people near Santa Teresa, New Mexico and would be paid a total of \$1000 US Dollars. PALACIOS agreed to the job and claimed that he took the job because he needed money for an apartment and for his new born child. PALACIOS further stated that he is currently on parole and is an active gang member of the Barrio Aztecas Gang.

CONCLUSION:

1. Based on the aforementioned facts, your Affiant believes that there is probable cause to believe that Juan Ramon PALACIOS along with others known and unknown did violate Title 8 United States Code, Sections 1324 (a)(1)(A)(ii) and 1324 (a)(A)(v)(I).
2. AUSA Alfred Perez was contacted and was presented the case for prosecution. AUSA Perez approved the filing of a complaint charging PALACIOS with a violation of 8 USC 1324 (conspiracy to transport illegal aliens).



Joel Sanchez
Border Patrol Agent/
HSI Taskforce Officer



HONORABLE STEPHAN M. VIDMAR
United States Magistrate Judge

UNITED STATES DISTRICT COURT

for the
District of New Mexico

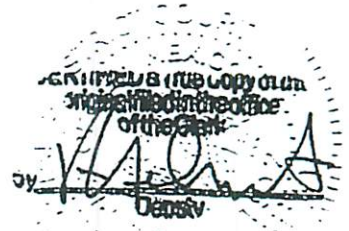
United States of America
v.
Juan Ramon PALACIOS

Case No. 18-1533MT

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer



YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) Juan Ramon PALACIOS
who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

engage in a conspiracy with others known and unknown to commit a violation of 8 USC 1324 (a)(1)(A)(ii)(Transporting), to wit: Knowing or in reckless disregard of the fact that aliens had come to, entered or remained in the United States in violation of law, transport, or attempt to transport or move such aliens within the United States by means of such violation of law.

Date: 05/03/2018

Issuing officer's signature

City and state: Las Cruces, New Mexico

STEPHAN M. VIDMAR
U.S. MAGISTRATE JUDGE
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title